DOCUMENT RESUME

ED 030 691 UD 007 921

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Children Apart: Crisis and Conflict.

Pub Date Nov 68

Note-18p.; Address presented at a Special Training Institute on Problems of School Desegregation (Teachers Coll., Columbia Univ., New York, N.Y., July 10-12, 1968)

EDRS Price MF-$0.25 HC-$1.00

Descriptors-*Administrator Responsibility, Court Litigation, Decentralization, Defacto Segregation, Disadvantaged Youth, Educational Quality, Integration Methods, Negro Students, *Public Schools, *Racial Balance, School Administration, *School Integration

Identifiers-NAACP, National Association Advancement Colored People

The author, Education Director for NAACP, stresses the importance of correcting racial imbalance in the public schools and of improving educational quality in schools attended by black children. School administrators have not provided strong leadership in pressing for school desegregation. They are also criticized for "condoning the myth of the culturally deprived child." The educational establishment has resisted attempts to improve the quality of black schools. (NH)

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Miss June Shagaloff, Education Director for NAACP, emphasizes the importance of correcting racial imbalance in the public schools and of improving the quality of schools now attended by black children. As a special consultant who attended the entire Institute, Miss Shagaloff scores school administrators for not providing leadership in promoting school desegregation and for condoning the dangerous myth of the culturally deprived child. She also charges the educational establishment with resisting efforts to improve the quality of predominantly black schools. Too many educational administrators, she contends, lack the commitment and courage to change school systems in which it is not believed that black children can learn as well as white children.

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CHILDREN APART: CRISIS AND CONFLICT

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Colored People

Those who believe that protest demonstrations by Negroes in this country began in the last decade--with the bus boycott in Montgomery, Alabama or the sit-ins--simply do not know American history. Among the first protest demonstrations were those of Negro parents in the early part of the last century, who insisted that the Boston School Committee admit their children to the newly established free "public" schools. The rest of that century and the first fifty years of this century continued to be marked by the struggle of Negro parents, North and South, to make meaningful the phrase "equal educational opportunity"--through petitions, protest meetings, school strikes, picket lines, school boycotts, and, of course, litigation. In fact, permissive segregation of the public schools was not prohibited in New Jersey and Indiana until as late as 1948.

If the distant past gives little comfort, then the immediate past gives even less comfort. The public schools, and those directly responsible for school policies and

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school practices, are best characterized by their commitment to the status-quo and their resistance to change.

America's public schools continue to be organized and to function on the basis of color and class. The concept of equal educational opportunity, so often stated as a primary objective of public education in America, has never been the real or functional objective of those directly responsible for the public schools in our country.

Prior to 1954, the commitment was to the status quo of separate and unequal schools. After 1954, the commitment in the South was to the maintenance of segregation through scores of devices intended to evade the principle of the May 17 decision. Southern school districts quickly undertook a crash building program; replacing ancient, inferior segregated schools with new, but equally inferior, still segregated schools. After all the devious pupil placement plans were finally prohibited by the Federal Courts, the commitment was to maintain the greatest possible racial segregation.

The voluntary pupil transfer plans used extensively throughout the South have served this objective well. In the North, the commitment has been to racial containment in the public schools, based on attendance areas which follow the color line in housing; to the so-called "neighborhood school concept" in an attempt to justify racial containment; and to the concept of "the culturally deprived child" in an effort to justify the academic underachievement of Negro

children in separate and unequal schools.

An increasing number of school systems in the South today are adopting, and adapting, these northern school policies and practices. It was not by accident that the former Superintendent of Schools in Nashville, Tennessee, sent a staff team North, some years ago, to look at Indiana's year-by-year plan of desegregation. Indiana's approach later became known through the South--in fact, the nation--as "the Nashville Plan." And I know of no better example of de facto segregation, Northern style, than the geographic zoning plan of desegregation submitted to the Federal Court by school officials in Clarksdale, Mississippi.

But the North, too, also borrowed and adapted. The voluntary pupil transfer plan, developed and known in the South as "freedom-of-choice," has become the model for the northern practice of "open-enrollment." North and South, this plan leaves intact the basic pattern of segregation.

In short, the leadership for change has not come from within the school establishment. The former Superintendent of Schools of one of America's most beautiful cities publicly honored a retiring, long-time member of his Board of Education for "never once rocking the boat."

Our country is now reaping the bitter rewards of this devastating pattern. There is a form of violence as final as the bullet: the continuation of segregated and criminally inadequate, criminally inferior, criminally neglected schools. Jonothan Kozol, who taught in the public

school system of Boston, wrote a book entitled "Death at an Early Age" about this form of violence.

To go back to the May 17 decision itself--in particular to one of the five cases decided by the United States Supreme Court: Brown vs. the Board of Education in Topeka, Kansas.

Brown was Miss Brown, a Negro student who had been denied admission to an all-white school in Topeka, Kansas, a state which permitted racial segregation in the public schools.

In the other four cases, NAACP attorneys argued that--not only were the public schools segregated--but they were, in all respects, unequal to the schools provided for white students. In the Topeka case, a different argument was made. We compared the schools in Topeka provided for white and for Negro students. We examined physical facilities, classroom size, teacher-pupil ratio, teacher qualifications, curricula offerings, classrooms and library books. And we argued before the courts, ultimately before the United States Supreme Court, that the public schools provided for Negro students were not only equal to the schools for white students but, in every respect that we had examined, were superior. But, we argued, the very fact of racial segregation itself was educationally and psychologically damaging to Negro children.

This, of course, was the essence of the May 17 decision which held that in public education segregated

schools were inherently unequal and discriminatory.

I, personally, have always thought it was unfortunate that the Supreme Court directed itself exclusively to the effects of segregation on Negro children when considerable testimony and evidence had also been presented on the devastating psychological and educational effects of segregation on white children.

In 1954, we weren't talking about de facto segregation in the North, but it didn't take much awareness to know that extensive segregation existed in school systems outside of the South.

It comes as no surprise to anyone here that we are demanding that school superintendents and school boards adopt policies of color consciousness--not to discriminate, but to end the discrimination of the past; or that Negro parents are insisting that school officials do more than simply remove the legal restrictions on race and color--and develop affirmative policies and practices affecting pupils, teachers, and administrators.

There are five states that have adopted state-wide policies calling for the correction of racial concentrations in the public schools: California, New Jersey, New York, Massachusetts--and a very limited policy in the state of Connecticut. Other states have adopted legislative action calling for consideration of racial balance in site selection; drawing school attendance areas; and consolidating school districts. On a local level, an increasing number of

school systems throughout the North and West have adopted affirmative policies to eliminate or correct segretation-in-fact.

Most of the litigation is directed to the responsibility of school officials to end or correct racial concentrations in the public schools, regardless of cause. We contend--and virtually all of the litigation has been filed by the NAACP--that segregation in any form, regardless of cause, violates the equal protection clause of the 14th Amendment, and that school officials have a responsibility to correct such racial concentrations.

Most of the decisionsin cases brought before State Commissioners of Education, primarily in New York and New Jersey, have called for corrective action. In the state courts, in suits filed by Negro parents challenging de facto segregation, or suits filed by white parents protesting desegregation, most of the decisions have called for correcting racial concentrations regardless of cause. At the federal court level, four cases have been argued and decided, and these decisions are in conflict. In two cases, one originating in Kansas City, Kansas, and the other in Gary, Indiana, the federal district courts held that school officials did not have a constitutional responsibility to correct racial concentrations if they had not deliberately created racial concentrations. In the other two cases, one originating in Manhasset, New York, and the other in Springfield, Massachusetts, the court decisions are quite

different. Here, the federal courts have held that school officials do have a constitutional responsibility to correct racial concentrations, regardless of cause. The U. S. Supreme Court, thus far, has refused to review any of these court decisions. In effect, then, all of the lower court decisions have been left standing.

The NAACP intends to bring as many cases as necessary on appeal before the United States Supreme Court, with the expectation that the United States Supreme Court will ultimately rule on the issues.

There is a federal court case just decided that relates directly to some of these issues. The case, decided by 73-year old Judge Julius Hoffman of the federal district court, was filed by the U. S. Department of Justice (under Title VI of the 1964 Civil Rights Act) against the South Holland, Illinois, Board of Education which maintained two virtually all-Negro elementary schools and four all-white elementary schools.

Judge Hoffman found that the South Holland School Board had violated the equal protection clause of the 14th Amendment by tailoring the neighborhood school concept to foster racial segregation through the selection of school sites; the drawing of boundaries for school attendance areas; discriminatory busing policies; and the assignment of teachers. He further held that boundaries had been drawn in such a way as to place white students in attendance zones that were not closest to the schools nearest their homes.

He charged finally that school officials had manipulated the neighborhood school policy in order to promote and to maintain racial concentration.

The court held that a school board may not purposely manipulate the neighborhood school attendance policy so as to conform to the racial composition of the neighborhoods in a school district. Nor may school officials take advantage of private residential discrimination. The court also held that the school board must give affirmative consideration to racial factors in allocating faculty, assigning pupils, selecting sites for new schools, and busing pupils.

Judge Hoffman stated, moreover, that community opposition and segregated residential patterns may not stand in the way of school desegregation. And, finally, he held that neither community pressure nor the preferences of individuals provides legal justification for the racial assignment of students or teachers.

Let me add here that we hope to bring before local school officials, and before the courts, school desegregation suits based on the June 18, 1968, decision of the United States Supreme Court prohibiting practices which prevent open occupancy housing. We believe that this recent decision constitutionally invalidates the neighborhood school policy when this policy is used or misused to maintain racially concentrated public schools.

In the last five years, over a hundred middle-sized cities and suburban school systems have either desegregated

completely or taken very substantial desegregation steps. I believe, still, that if redrawing school attendance areas were to be programmed with racial desegregation as one of the objectives, we could achieve far greater physical desegregation of the schools than we have at the present time--even in the large cities. In the area of school desegregation, the problem is not the lack of administrative know-how, but the lack of intent to change.

Some communities, including New Haven, have adopted the Princeton Plan for junior high schools as well as elementary schools. In a number of school systems, both large and small, antiquated school buildings previously serving only Negro students have been closed, and Negro students reassigned. Other school systems have organized middle or intermediate schools.

One of the most interesting approaches is the plan which is generally described as the "magnet" school. Last fall, Providence, Rhode Island implemented a city-wide desegregation plan for all elementary schools. The established ratio of approximately 70% white students and 30% black students at each school was accomplished through several different approaches to pupil reassignment, including redrawing school attendance areas. One all-Negro elementary school, housed in a very old building, was closed and pupils reassigned to other schools. But another all-Negro elementary school was housed in a new building, and school officials felt that they could not afford to close

it. Nor were they willing to assign white pupils to a school in the black ghetto. Instead, they reorganized the school as a special school serving mentally retarded and physically handicapped children throughout the city. Negro parents in the community, proud of their school, furiously demanded that the city-wide desegregation plan include this school. Many months later, after protest actions and community conflict, the school was reorganized to serve children throughout Providence on a voluntary basis. School officials enlisted a highly qualified faculty (including university personnel) and stressed academically orientated programs that were not available at any other school. The school opened with approximately 70% white students, 30% black students, and with a long waiting list of white children.

The "magnet" school is being used in Xenia, Ohio, a small community; and, more recently, in the well-to-do suburban school system of Evanston, Illinois.

Other middle-sized school systems are correcting racial imbalances. Berkeley, California, will open its schools this fall with a very effective city-wide desegregation plan based on the Princeton Plan. Long-range plans in Berkeley include the educational park. Sacramento, California, is engaged in a city-wide school reorganization to correct racial imbalances. Syracuse, New York, has implemented short-range plans and is committed to developing effective long-range desegregation plans. In St. Paul,

Minnesota, one Negro elementary school was finally closed and Negro students assigned to existing schools. In San Mateo, California, a similar desegregation program has been implemented. Lansing, Michigan, is another community that is moving on this issue. And there are scores of additional school systems, primarily smaller in size, where action is taking place.

In short, when school officials themselves are willing to change the status-quo, it can be done effectively. In the largest number of school systems, however, recommendations for change proposed by citizens committees or special consultants--after months, sometimes years, of study--have been rejected, emasculated, or simply ignored. Detroit, under the former Superintendent of Schools, appointed a citizens' committee which submitted a very comprehensive report and recommendations. Very little action was taken. In San Diego, where Negro parents have recently filed a suit against the Board of Education and the Superintendent of Schools, a citizens' committee made a report calling for corrective action. No action was taken.

Scores of other cities have followed the same pattern: demands by Negro parents; community conflict; appointment of citizens committees or specialists by school officials to make recommendations for change; and, finally, inaction. Takoma (Washington), San Francisco, New York City, Portland, Columbus (Ohio), Mount Vernon (New York), Kansas City (Missouri), St. Louis, and Indianapolis, for example,

have followed this routine. In my office, there are over 200 reports of citizens' or special advisory committees recommending changes to correct racial concentrations and to raise educational standards. In each instance, the recommendations on desegregation were ignored while the recommendations to raise educational standards were transformed to supplementary "compensatory" programs.

The issue, of course, is not the neighborhood school. First of all, the concept of the neighborhood is a concept based not on geography or distance, as many pretend, but on color and class. It is often said, "the closer Negroes get to the so-called neighborhood school, somehow, the more sacred the concept becomes." The concept of the neighborhood school was violated without a murmur for more than half a century while school officials transported white and black children all over a city (or a county) in order to arrange and maintain racial segregation.

The issue of busing is another phony issue. There are thousands of all-white school systems in this country that provide bus transportation for their pupils without ever calling it "busing." Some school desegregation plans require pupil transportation; others do not. We view busing as no more and no less than a means of transporting pupils. The real issue, of course, is not whether children ride school buses but where they go to school when they get off the bus.

Of all the myths that have been developed to justify

segregated and unequal schools, or the academic underachievement of Negro children, the most vicious and dangerous myth is the concept of the culturally deprived or disadvantaged child as it is being used in American education today. Implicit in this concept is the belief that there is a direct relationship between a child's socio-economic background and his ability to learn. We don't need any more studies to tell us that children who are poor and black are underachievers in America's public schools. But we don't know of a single study suggesting that a child who is poor and black cannot learn. Dr. John Fischer, President of Teachers College, has said that the children who are being called culturally deprived and culturally disadvantaged are really being stigmatized as "uneducable."

Our criticism of the concept of the culturally deprived child, and our criticism of the compensatory education programs based on this concept, can be simply stated. It holds responsible for the underachievement of poor children and black children everything but the schools themselves. Everything in the environment of poor, black children is held accountable: the children came from broken families; they have no father at home; they have too many fathers at home; they are not encouraged to learn; they are not exposed to cultural activities; they don't have a place to study; there are no books at home. In short, everything is held accountable for the child's failure except the schools.

We contend that if the normal child (excluding the child who is so brain-damaged or emotionally disturbed that he should be receiving special services) is not achieving at grade level, it is not the child's failure, but the school's failure.

We are not denying that children from poor families, black or white, need more. We are saying that the children who do need more should receive more, instead of receiving less in schools that are not only racially segregated but inadequate and inferior in every way.

We are urging that Title I programs of ESEA be basically revised, eliminating the ineffective "compensatory" programs and the "extra" services, focusing instead on programs to change the regular school program. We are also urging that Title I programs be directed to two vital areas. First, reading and remedial reading programs; and, second, programs to change the attitudes and to raise the expectations of teachers and administrators.

Negro parents are not simply concerned with the visible aspects of schools such as overcrowded classes or inadequate facilities. The deepest concerns are the intangibles--the attitudes and low expectation of classroom teachers that directly affect pupil learning and achievement. There are too many classroom teachers and school administrators who simply do not believe that black children, and black children who are poor, are capable of learning.

We are urging a massive program of federal and state

financial support; but not for the same programs now in effect. As a matter of fact, we would reject new funds being used for the old programs that have proven so ineffective. However, massive financial support is essential for the development of new programs and new approaches intended to change fundamentally the school experience of disadvantaged Negro children.

An increasingly critical and controversial area concerns the participation of parents in decision-making which affects the education of their children. The demands of some Negro parents for "black schools for black children," and the demand for decentralization (not simply changing the structural organization of a school system but changing the decision-making authority within the school system), reflect the hopelessness, despair, and disbelief that the schools as they exist now have the ability--or the intent--to educate Negro children.

The NAACP supports the principle of school decentralization, particularly for the schools of the nation's twenty largest public school systems. I am personally convinced that decision-making by parents is the only hope, now, of assuring teacher-administrator accountability for pupil achievement.

School decentralization, however, must include clearly defined city-wide educational standards; clearly stated criteria and procedures for the selection and placement of teachers throughout the school system; and clearly defined

procedures for evaluating school-district performance.

Decentralization plans must also facilitate and encourage school desegregation. I don't believe that there is an inherent conflict between decentralization and greater desegregation. In New York City, for example, I believe it is possible as well as necessary, even at this late date, for decentralization to include the greatest possible desegregation as an essential and immediate objective.

Decentralization plans, too, must include clear procedures for protecting the same rights teachers now have under the law. The NAACP fully expects to support these rights at the same time that we insist upon teacher-administration accountability for pupil performance and achievement.

The white racism cited by the Kerner Commission is reflected at its worst in the curricula, classroom books, and libraries of public schools. Negro parents everywhere are calling on school officials to replace the all-white illustrated textbooks that pretend we live in an all-white community or nation with multi-racial textbooks showing black, brown, and white faces. The NAACP has published a descriptive bibliography of 399 multi-racial textbooks in all subject areas for elementary school children. We are also calling on school officials to revise the curricula to include, fully and objectively, the Negro in American history and American life; and to develop new courses on black history for <u>all</u> students.

One Superintendent of Schools said to me very recently that what was needed was more time. There is no time left. What is needed is not more time but the commitment and the courage to change. The alternative to change is even greater conflict in the future than we have had in the past.

Judge Hoffman, in his recent decision said, "the future of the United States depends in no small part on education; not the education of white children, but of all children. We do not need another fact-finding commission to tell us that something must be done to prevent a school situation which produces apathy and hopelessness; that can cause a life to be wasted; or which produces frustration and anger that can cause a life to be risked in public disorders. It is not rational to maintain a situation which is conducive to the kind of behavior that we must prevent; or to expect schools to produce law-abiding citizens in a school system that flouts the law. School boards and school administrators have a moral and civic duty as well as a legal duty to end segregation. To fail the Negro child would be to fail the nation."